

From: Sam Desmond
To: Microsoft ATR
Date: 1/24/02 12:48pm
Subject: Microsoft Settlement

Dear Madam or Sir,

My name is Sammy E. Desmond, Jr. and I am Senior System Analyst with a major chemical company. I have a Bachelor of Science Degree in Computer Science and I have over 19 years of experience with computers. The purpose of this letter is to submit my comments concerning the Microsoft anti-trust settlement in accordance with the Tunney Act.

As veteran of the computer industry and as a parent advisor to my local school districts technology committee, I have seen first hand the devastating effect Microsofts monopoly power has caused. There are numerous examples of how they abused their monopoly position to stifle competition and reduce consumer choice.

I have thoroughly examined the proposed settlement and cannot find anything that even comes close to being a remedy to the antitrust violations that Microsoft has already been found guilty of. As you are well aware, Microsoft Corporation has already been found guilty of abusing its monopoly power.

At the very least, a just penalty should include the following:

- * Restrictions must be put in place that force Microsoft to publish and fully document all present and future file formats of any documents created by Microsoft application software. This will invigorate competition from other software producers and allow the data to be read by other programs and on other operating systems.
- * Microsoft must be required to publish and fully document the Windows Application Program Interface (API).
- * Microsoft products must be positioned as optional, extra cost items on brand new computer systems. Consumers that do not wish to purchase the Microsoft products should not be forced to do so. The current

non-optional bundling of Microsoft products with new computers is sometimes referred to the Microsoft Tax in which the price of the Microsoft products are included in the price of the computer even if the consumer erases the Microsoft products and replaces them with something else.

* Also, any current and any future Microsoft networking protocols must be published and fully documented in full and approved by independent industry bodies.

As the Internet becomes a more important part of civilization, it is extremely important that Microsoft does not extend its past abusive behavior into that realm. If Microsoft is not sufficiently penalized and is allowed to extend its monopoly influence to the Internet, the results would be disastrous. As a matter of fact, the highly respected Center for Strategic and International Studies released a study a year ago that stated Microsoft software poses a U.S. national security risk. See the following web site, which describes this report:
<http://www.cnn.com/2000/TECH/computing/12/29/csis.microsoft.report.idg/>

In closing, history offers numerous cases when bad decisions were made for which future generations paid a heavy price. Please take this opportunity to properly punish Microsofts abusive behavior while there is still time.

Respectfully,

Sammy E. Desmond, Jr.
3930 Suncrest / Groves, Texas 77619 U.S.A.
(409) 723-3226 / sdesmondjr@yahoo.com

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